

DEPARTMENT OF HEALTH PROFESSIONS - DIRECTIVES

DIRECTIVE NO.: 1.12

EFFECTIVE: 7/1/04

SUPERSEDES: 6-13-03

APPROVAL: /s/ Robert A. Nebiker

1.12 Extension of time for active duty servicemen

Purpose: To ensure agency compliance with Chapter 1017 of the 2004 Acts of the Assembly, which provides: *“That notwithstanding any other provision of law, no license, permit, certificate, or other document, however styled or denominated, that is related to the practice of any business, profession, or calling and issued under Title 54.1 to any citizen of the Commonwealth shall be held to have expired, and no requirements pertaining to the renewal or maintenance of such license, permit, certificate, or other document shall have to be met, during the period of such person's service outside of the United States in the armed services of the United States and 60 days thereafter. No extension granted under this section, however, shall exceed five years from the date of expiration of the document.*

For the purposes of this enactment "service in the armed services of the United States" includes active duty service with the regular Armed Forces of the United States or the National Guard or other reserve component.”

Policy: To make arrangements as necessary to ensure that active duty service people, deployed outside the United States, are accorded the benefit of an extension of time for any deadline or requirements pertaining to initial application or renewal applications. Extensions should be granted for 60 days after the person's return to the United States, following the effective date of the act, which is July 1, 2004.

Procedure:

1. As soon as is feasible, the executive director of each health regulatory board shall publicize the availability of the extension benefit in application instructions, websites and newsletters.
2. Upon determination that any licensee (defined as inclusive of persons who hold a registration or certification from a board within the Department) meets the above criteria and has been charged a late fee or required to reinstate a license since the effective date of the Act, the licensee shall be eligible for a refund.
3. All staff who process applications or renewals shall be aware of the policy to assist licensees or applicants who may be eligible for this benefit.
4. A copy of military orders or form DD214 placing the licensee on active duty outside the United States shall be considered sufficient documentation to determine eligibility.

5. Extensions of time for completion of application or renewal requirements or refunds for active duty service are retroactive to April 2, 2003; however, after July 1, 2004, extensions and/or refunds do not apply to active duty service personnel who are not stationed outside the United States.